



Appeal Decision

Site Visit made on 24 May 2021

by Andrew Smith BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th June 2021

Appeal Ref: APP/K0235/W/21/3269699

Cornfield, West End, Stagsden MK43 8SY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs A & C Macfarlane against the decision of Bedford Borough Council.
 - The application Ref 20/02115/FUL, dated 17 September 2020, was refused by notice dated 22 December 2020.
 - The development proposed is erection of a detached dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether or not the site represents an appropriate location for housing, having particular regard to the accessibility of local facilities and services and the Council's spatial strategy for development; and
 - The effect upon the character and appearance of the rural area.

Reasons

Access to local facilities and services

3. The National Planning Policy Framework (February 2019) (the Framework) states that, in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities and that planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services.
4. The Bedford Borough Local Plan 2030 (adopted January 2020) (the Local Plan) sets out an overarching strategic framework for ensuring that sufficient new development is delivered in sustainable locations to meet identified needs. The site is located outside of any defined Settlement Policy Area and thus within the countryside in local planning policy terms.
5. Policy 7S of the Local Plan relates to development in the countryside and lists situations where development proposals will be permitted. As set out in its supporting text, the policy incorporates sufficient flexibility to support the provision of new homes where they will enhance or maintain the vitality of rural communities and meet identified needs. The circumstances where countryside development will be supported include where proposals are appropriate in line with one of several other listed Local Plan policies, or where,

- in exceptional circumstances on sites well-related to a defined Settlement Policy Area, Small Settlements or the built form of other settlements where it can be demonstrated that the proposal accords with various requirements.
6. Even before coming to consider the proposal's effect in a character and appearance sense (the second identified main issue) it is apparent that the proposal does not fit within the categories of countryside development that are identified for support under Policy 7S. This is not least due to the lack of any identifiable community support for the proposal. Indeed, Stagsden Parish Council has raised an objection.
 7. The site is located to the periphery of a settlement known as Stagsden West End (the hamlet). Firs Farm Business Park, which is home to a range of commercial enterprises, and a small number of residential properties comprise what I observed to be the most noticeable components of the hamlet. On the basis that I accept the hamlet to constitute a settlement, the appeal site does not occupy an isolated location when considered in a purely physical sense.
 8. However, the site is located a considerable distance from the main part of Stagsden village where only a narrow range of facilities and services are situated. These include a public house, a village hall and a church, and would not be capable of serving the full day-to-day needs of future occupiers of the development. Indeed, future occupiers would be required to travel elsewhere in order to meet such requirements.
 9. The distances that would be involved to reach Stagsden or any other local settlement containing a wider range of facilities and services (including Bedford), as well as the unlit/unpathed nature of the routes leading out of the hamlet, would be very unlikely to promote trips being undertaken on foot or via cycling. I also note the lack of bus stop availability near to the site. Furthermore, any suggestion made that future occupiers of the proposed dwelling could choose to drive to Stagsden in order to utilise available bus services would appear unrealistic and impractical.
 10. The Framework recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and that this should be taken into account in decision-making. Nevertheless, even when acknowledging that the site is located at a settlement and that merely a single dwelling is proposed, the scheme would inevitably lead to increased travel by private modes of transportation. This sits uncomfortably alongside the Government's objectives of delivering sustainable development in a planned and coordinated manner. For the avoidance of doubt, the intended installation of a single electric vehicle charging point does not alter my findings in this context.
 11. My attention has been drawn to several planning decisions elsewhere within the Borough. These include a 2017 appeal decision at Wootton¹ where an infill dwelling was granted planning permission. However, given that it predates the Local Plan and relates to different local circumstances, it is a decision of limited relevance. For the same reasons, a 2016 appeal decision at Kempston² relating to a new dwelling is also of limited relevance.

¹ APP/K0235/W/17/3174147

² APP/K0235/W/16/3156635

12. As regards a 2019 appeal decision at Renhold³ relating to a detached bungalow, the relevant Inspector identified (again in advance of the Local Plan's adoption) that a reasonable range of services would be accessible to future occupiers. This is not the case with respect to the proposal that is now before me. It is also evident that the 2019 appeal decision was an important material consideration when the Council subsequently granted separate planning permission⁴ for a dwelling and detached garage at the same site in May 2020. These decisions are thus of limited relevance.
13. For the above reasons, the proposal would cause harm by virtue of the site not representing an appropriate location for housing, having particular regard to the accessibility of local facilities and services and the Council's spatial strategy for development. The proposal conflicts with Policies 2S, 3S, 7S and 53 of the Local Plan in so far as these policies seek to promote convenient access to local services by foot, cycle and public transport and to deliver sustainable development and growth that enhances the vitality of the Borough's urban and rural communities.
14. For the avoidance of doubt, the hamlet does not meet the definition of a Small Settlement as set out in the supporting text to Policy 6 of the Local Plan. Indeed, notwithstanding the presence of various buildings that are not dwellings, the hamlet is a settlement of insufficient size to be recognised in this sense. Policy 6 is thus of limited relevance to my considerations.
15. Furthermore, I do not find conflict with Policy 5S of the Local Plan as it is a policy that relates to and supports the principle of development inside Settlement Policy Area boundaries. Whilst Policy 51S of the Local Plan sets out a strategic approach to tackling climate change, it appears to be primarily focussed upon encouraging the delivery of specific adaptation and mitigation measures when proposals are built out. Indeed, locational priorities for new development are governed by other policies contained within the Local Plan. I thus see no clear reason to find conflict with Policy 51S.

Character and appearance

16. The site and its surroundings, whilst not subject to any formal landscape designation or similar, tend to be green and inherently rural in their character and appearance. Consistent with this, the lane that provides access to the site takes a rural form, serves only sporadic instances of development, and is often edged by unbroken stretches of planting to both of its sides.
17. Whilst the appeal site has been described as forming a part of Cornfield's extended garden, the main body of the site sits away from the host dwelling and beyond a sizeable and densely planted tree belt comprised of mixed species (the plantation). In this context, the one and a half storey dwelling that is proposed would appear as an unexpected and urbanising addition to the local rural area. This is even though to be positioned upon a spacious plot and to be constructed from external-facing materials stated to be in keeping with the rural location.
18. Furthermore, a considerable number of tree removals would be necessitated by the proposal. Whilst a Pre-Development Tree Survey (November 2019) (the Tree Survey) categorises the various surveyed tree groups and individual tree

³ APP/K0235/W/19/3228659

⁴ 20/00563/FUL

specimens as being of either poor or moderate quality, the same document recognises that the plantation provides a dense wooded area within a predominantly agricultural landscape. The importance of boundary planting to the site's treed character is also referred to in the recommendations section of the Tree Survey.

19. I acknowledge that the Council's Tree Officer raised no objection to the proposal, in-part based on the relevant trees exhibiting growth characteristics that could result in structural weaknesses as they mature due to a lack of formal management at a young age. Even so, his primary role would have been to advise on the arboricultural aspects of the scheme as opposed to any overarching effects in a character and appearance sense.
20. Upon inspection, I typically witnessed trees of apparent reasonable health and notable stature that would, more likely than not, provide a valuable long-term contribution (in cumulative terms) to the local landscape. This is most particularly when noting the considerable assemblage of trees concerned.
21. The proposal, owing to the extent of tree removals that would realistically be necessitated in proximity to the plantation's north-western and south-western edges, would inevitably lead to a noticeable erosion of the site's verdant qualities to the detriment of the visual amenities of the area. These concerns are particularly pertinent when factoring in the intended alignment of the new accessway. It must be noted that any replacement landscaping intended to be undertaken would take time to properly establish and could not, to my mind, provide ample mitigation for the anticipated losses.
22. For the above reasons, the scheme would cause harm to the character and appearance of the rural area. The proposal conflicts with Policies 7S and 28S of the Local Plan in so far as these policies require that all development in the countryside must recognise the intrinsic character and beauty of the countryside.

Planning Balance

23. One additional housing unit is proposed that would likely be deliverable over a short timeframe, and the Framework reaffirms the Government's objective of significantly boosting the supply of homes. Nevertheless, the provision of a single additional unit would not make a noticeable difference to the Borough-wide housing supply situation and is thus a benefit that attracts limited weight.
24. The scheme would also create jobs during the construction phase and provide support to the local economy and local community facilities once occupied. However, these benefits also attract limited weight due to the modest scale of development under consideration.
25. Even if I were to agree with the appellants' assertions that the site meets the Framework's definition of previously developed land, the benefits of seeking to make effective use of the land through bringing forward development upon it attract limited weight. This stance is primarily based on the site being positioned to the periphery of a particularly small-sized rural settlement. I note that the site-specific circumstances considered by the Inspector in the 2016 Kempston appeal decision (referenced above) would not have been directly comparable, particularly due to that site's relative proximity to a range of different settlements.

26. A variety of potential ecological/biodiversity enhancement measures are referenced in a Preliminary Ecological Appraisal (April 2020), which include the possible creation of a pond, deadwood habitat creation, the planting of native trees and shrubs and the provision of bird and bat boxes. However, the levels of enhancement that could ultimately be achieved would realistically be limited. This is most particularly due to the considerable extent of existing vegetation that would need to be removed in order to facilitate development. I thus attach limited weight to the potential benefits of the scheme in this context.
27. The contributions associated with the delivery and subsequent occupation of the proposal would be relatively modest when considered in cumulative terms and would not outweigh the significant harms and associated policy conflicts that I have identified. The proposal conflicts with the development plan when read as a whole, and material considerations do not lead me to a decision otherwise.

Conclusion

28. For the reasons given above, the appeal is dismissed.

Andrew Smith

INSPECTOR